

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHELLE ROBERSON,

Plaintiff,

v.

KAISER FOUNDATION  
HOSPITALS, et al.,

Defendants.

NO. C04-1043 TEH

ORDER SETTING CASE  
MANAGEMENT CONFERENCE  
AND EXTENDING TIME FOR  
PLAINTIFF TO FIND NEW  
COUNSEL

On February 10, 2006, the Court granted Jaynelle Bell's motion to withdraw as counsel for Plaintiff Michelle Roberson. The Court further instructed Ms. Roberson to file by March 31, 2006, either a notice of appearance of new counsel or a notice that she intended to prosecute this case without an attorney.

The Court received a letter from Ms. Roberson, dated March 22, 2006, informing the Court that she has been unable to retain counsel in part because Ms. Bell has not returned her phone calls regarding return of her client files. Ms. Roberson also stated in her letter that she intends to continue this case with or without an attorney. This letter is sufficient to comply with the Court's February 10, 2006 order, and the Court therefore will not dismiss this case for failure to prosecute at this time.

In addition, because Ms. Roberson appears to have been diligently attempting to retain counsel but has been unable to do so at least in part due to circumstances beyond her control, the Court will grant Ms. Roberson an extension of time in which to find counsel. However, this case, which was filed more than two years ago, cannot continue on hold indefinitely, and this will therefore be the last extension of time granted to Ms. Roberson to find counsel. This does not mean that Ms. Roberson must stop trying to find new counsel after the dates set in this order. To the contrary, she shall remain free to try to obtain new counsel, but she must

represent herself in any proceedings that occur while she is unrepresented by an attorney. This includes filing all required papers as well as making all required personal appearances.

To help move this case forward, IT IS HEREBY ORDERED that:

1. The parties shall appear in person before this Court for a case management conference on **Monday, June 26, 2006, at 1:30 PM.**

2. The parties shall also file a joint case management conference statement on or before **Monday, June 19, 2006.**

3. Ms. Roberson shall call Kathleen Hurly, counsel for Defendants, at (415) 781-7900, no later than **Thursday, June 1, 2006**, to inform Ms. Hurly whether she has obtained new counsel.


4. If Ms. Roberson has obtained new counsel, then she shall provide Ms. Hurly with that attorney's name and contact information, and Ms. Hurly shall meet and confer with the new attorney to prepare the joint case management conference statement. In addition, if Ms. Roberson has obtained new counsel, then Ms. Roberson need not appear in person on June 26; it will be sufficient for her new attorney to appear on her behalf.

5. If, on the other hand, Ms. Roberson has not obtained new counsel by June 1, then she shall meet and confer with Ms. Hurly directly about what she would like to tell the Court in the joint case management statement. Ms. Hurly shall take the lead in coordinating the preparation and filing of the joint statement. If necessary, the joint statement may include separate statements from each party, but the statement shall be filed as a single document.

6. The Clerk shall serve a copy of this order by regular mail on Ms. Roberson. The Clerk shall also send Ms. Roberson a copy of this district's *Handbook for Litigants Without a Lawyer* to help her prepare for self-representation if she is unable to find an attorney.

**IT IS SO ORDERED.**

Dated: 04/06/06



THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT